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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/695,518	10/24/2000	Christian Volf Olgaard	11602.00.0005	3116
23418	7590	04/03/2009		
VEDDER PRICE P.C. 222 N. LASALLE STREET CHICAGO, IL 60601			EXAMINER CHRISTENSEN, SCOTT B	
			ART UNIT 2444	PAPER NUMBER
			MAIL DATE 04/03/2009	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

09/695,518

**Applicant(s)**

OLGAARD ET AL.

**Examiner**

Scott Christensen

**Art Unit**

2444

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 January 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 and 8-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 8-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/88)
- Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. This Office Action is in regards to the most recent papers filed on 1/20/2009.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-6, 8-14, 17, 19, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kobayashi (U.S. Pat. No. 6,633,759) in view of Starnes et al. in US 6,144,996, hereafter referred to as "Starnes."
4. With regard to claim 1, Kobayashi discloses a method for utilizing an interface client in an interface roaming network for displaying content on the interface client via a wireless device, comprising:
- receiving, with the wireless device, information about the interface client along a first wireless communication path to the wireless device in proximity of the interface client (Kobayashi: Figure 1 and Column 1, lines 56 through 60. According to Kobayashi, utilizing a cellular phone for bi-directional data transmission is known. Further, Figure 1 appears to show an arrangement that performs this functionality. A signal is transmitted from the PC1 (Interface Client) to the cellular phone 2 (Wireless Device).),

conveying, with the wireless device, the information about the interface client to a remote source (Kobayashi: Figure 1. The cellular phone conveys the information transmitted by the PC to the wireless network, and eventually the server.);

receiving the content along a second wireless communication path from a remote source and conveying the content via the wireless device to the interface client along the first wireless communication path (Kobayashi: Figure 1. Any information received is transmitted back through the cellular phone to the PC.); and

displaying the content on a display of the interface client (Kobayashi: Figure 1. The PC receives the information, and any content that was requested is processed by the PC in the same fashion as other connections, including display.).

Kobayashi does not disclose expressly:

wherein the information about the interface client includes at least information about display capabilities of the interface client including at least one of visual display size and visual graphical display characteristics; and determining that the interface client is usable to display the content based at least on the information about the display capabilities of the interface client.

However, Starnes discloses content negotiation, which is a process by which a client can select different languages or different sized images (Starnes: Column 2, lines 23 through 41). These would constitute "visual graphical display characteristics" that are provided by the client, as these are characteristics about how visual information is to be displayed. Further, the server selects the most appropriate information to return to the client.

Accordingly, it would have been obvious to utilize the content negotiation, as in Starnes, with the method of Starnes. The suggestion/motivation for doing so would have been that content negotiation can provide for improved bandwidth utilization and responsiveness of the Internet (Starnes: Column 2, lines 39-41).

5. With regard to claim 2, Kobayashi as modified by Starnes teaches receiving a signal from the wireless device when the wireless device is in proximity of the interface client prior to submitting the information about the interface client to the wireless device (Kobayashi: Column 2, lines 60-64. For the information to be transmitted to the wireless device via bluetooth, a connection must first be established).

6. With regard to claim 3, Kobayashi as modified by Starnes teaches that the signal from the wireless device is transmitted from the wireless device in response to a prior signal transmitted from the interface client (Kobayashi: Column 2, lines 60-64).

7. With regard to claim 4, Kobayashi as modified by Starnes teaches that the signal from the wireless device includes information identifying a user of the wireless device (Kobayashi: column 9, lines 34-36).

8. With regard to Claim 5, Kobayashi as modified by Starnes teaches that the information about the interface client includes at least one of: information about the capabilities of the interface client, information about an input device of the interface,

information about an input device of the interface client, and information about the location of the interface client (Kobayashi: column 9, lines 40-45; column 12, lines 12-27; and column 13, lines 7-17.

9. With regard to claim 6, Kobayashi as modified by Starnes teaches the remote source is an infrastructure server (Kobayashi: Figure 1).

10. With regard to claim 8, Kobayashi as modified by Starnes teaches formatting the content based on the submitted information about the interface client (Starnes: Column 2, lines 23-41). The same motivation that was utilized in the combination of claim 1 applies equally as well to claim 8.

### ***Response to Arguments***

11. Applicant's arguments with respect to claims 1-6 and 8-14 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott Christensen whose telephone number is (571)270-1144. The examiner can normally be reached on Monday through Thursday 6:30AM - 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Vaughn can be reached on (571) 272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. C./  
Examiner, Art Unit 2444

/William C. Vaughn, Jr./  
Supervisory Patent Examiner, Art Unit 2444